

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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|---------------------------------------|---|--------------------------|
| D.G. SWEIGERT, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 1:23-cv-01228-JRS-MG |
| |) | |
| JASON GOODMAN, |) | |
| 21ST CENTURY 3D, |) | |
| CROWDSOURCE THE TRUTH, |) | |
| PATREON, INC. A Delaware Corporation, |) | |
| |) | |
| Defendants. |) | |

ORDER SETTING PRO SE INITIAL PRE-TRIAL CONFERENCE

The above case is hereby assigned for a TELEPHONIC INITIAL PRETRIAL CONFERENCE on **Monday, March 25, 2024 at 2:30 p.m. (Eastern)**, before the Honorable Mario Garcia, United States Magistrate Judge. The parties shall attend the conference by using the following call-in information: **866-434-5269, Access Code 1040400, Security Code 231228.**

One of the first things that the Court will ask the Plaintiff to do at the conference is to briefly explain what the lawsuit is about. That means that the Plaintiff must be prepared to tell the Court what his or her case is about and how each Defendant was involved. Afterward, the Court will ask the Defendant(s) to briefly explain its defenses.

Once the parties have explained what the case is about, the Court will ask the parties if there is any reason that the Court should not enter the following orders in the case:

A. No later than **April 1, 2024** – Each party must give the other parties a list (with addresses and telephone numbers) of every witness who has knowledge that could help prove that party's claims or defenses. For each witness the party lists, there should be a brief description of what that witness knows. ****This list is NOT filed with the Court.**

B. No later than **April 1, 2024** – Each party must give the other parties copies of all documents, computer files, and other electronic data that the party has that it may use to prove its case. **The copies of documents are NOT filed with the Court.

C. No later than **April 1, 2024** – The Plaintiff must give the Defendant(s) a written estimate of how much money the Plaintiff claims he is entitled to for any injuries or damages the Plaintiff claims to have suffered. At that time, the Plaintiff must also give the Defendant(s) all non-privileged documents that support that estimate, including those that might prove the nature and the extent of the Plaintiff's injury. **This estimate and the documents are NOT filed with the Court.

D. The parties must update the information and documents that they provided to each other under Paragraphs A-C above as additional information becomes available to them. The Court may prevent a party from using evidence that it has not shared with the other side.

E. If parties need additional evidence from each other, or from third-parties, companies, or entities, they may use the methods described in Federal Rules of Civil Procedure 27-36 and 45 to obtain it. These methods are called “discovery” methods. All discovery requests must be served on the responding party (but NOT filed with the Court) no later than **July 23, 2024**. All Discovery must be completed by (30 days from date)

F. No later than **June 7, 2024** – Plaintiff shall tell the Defendant if he/she intends to use any testimony by expert witnesses. At that time, if Plaintiff intends to use an expert, he/she must give the Defendant either a signed report from the expert that presents all the witness' opinions and all the other information required by Federal Rule of Civil Procedure 26(a)(2)(B) for experts with regard to whom that Rule applies or a disclosure identifying the subject matter on which that witness is expected to provide expert testimony and a summary of the facts and opinions to which the witness is expected to testify, as required by Rule(26)(a)(2)(C).

G. No later than **July 8, 2024** – Defendant shall tell the Plaintiff if they intend to use any testimony by expert witnesses. At that time, if Defendant intends to use an expert, they must give the Plaintiff either a signed report from the expert that presents all the witness' opinions and all the other information required by Federal Rule of Civil Procedure 26(a)(2)(B) for experts with regard to whom that Rule applies or a disclosure identifying the subject matter on which that witness is expected to provide expert testimony and a summary of the facts and opinions to which the witness is expected to testify, as required by Rule(26)(a)(2)(C).

H. No later than **April 9, 2024** – Any party who wants to amend its Complaint, Answer, or other pleading must file a motion requesting permission to do so. This includes trying to add new parties to the lawsuit.

I. No later than **April 15, 2024** – Any party who believes that the pleadings either are improper under Federal Rule of Civil Procedure 12(b) or establish (non)liability under 12(c) must file a motion to that effect.

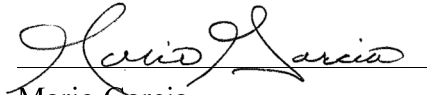
J. No later than **August 20, 2024** – Any party who believes that there is no genuine issue as to any material fact and that it is entitled to judgment as a matter of law, and therefore the case does not need to go to trial, must file its motion under Federal Rule of Civil Procedure 56.

K. On a date and time to be determined, the parties shall appear in person for a settlement conference. Each party must submit a confidential settlement statement to chambers at least three business days before the settlement conference. **This is the only exception to the rule that parties cannot give papers to the Court without also giving them to the other side.

L. If the case is not resolved by settlement, motion, or other ruling, the court will set a trial date.

M. Information for pro se individuals (those representing themselves without an attorney) may be found on the Court's website at www.insd.uscourts.gov.

Date: 12/29/2023


Mario Garcia
United States Magistrate Judge
Southern District of Indiana

Distribution:
D.G. SWEIGERT
514 Americas Way
Box Elder, SD 57719

JASON GOODMAN
252 7th Avenue Apt 6s
New York, NY 10001

Tyler Mitchell Layton
Patreon, Inc.
tyler@patreon.com